

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 41552
 VANDERVEEN, TIMOTHY W., et al. : Confirmation Number: 9475
 Application No.: 10/750,345 : Tech Center Art Unit: 3767
 Filed: December 31, 2003 : Examiner: Deanna K. Hall
 :
 For: MEDICATION SAFETY ENHANCEMENT FOR SECONDARY INFUSION

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop Appeal
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 15, 2008 of the Primary Examiner finally rejecting claims 1-19.

Appeal Fee: \$540.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No.41552.
- Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP
 /John A. Hankins/

John A. Hankins
 Registration No. 32,029

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Date: October 9, 2008
 SDO 119210-1.080623.0349

**Please recognize our Customer No. 41552 as
 our correspondence address.**